

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Kikuo MATSUOKA, Shinji TANAKA, Yasuyo SANO, Toshihiro TAKAI, Kenichi MIZOGICHI, Hideki USAMI, and Tomoaki HARUTA

Ser. No.: 10/522,392

Art Unit: 1794

Filed: October 31, 2005

Examiner: Michele Lynn Jacobson

Confirmation No.: 6313

For: METHOD OF CUTTING MULTILAYER BODY, METHOD OF FORMING MULTILAYER CONTAINER, AND MULTILAYER FORMED PRODUCT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT

Sir:

In response to the Office Action mailed October 28, 2008, applicants hereby provisionally elect, with traverse, to prosecute the claims of Group I (claims 1-12) in this application.

However, applicants respectfully traverse the restriction requirement since the subject matter of claims 1 - 26 is sufficiently related that a thorough and complete search for the subject matter of the elected claims would necessarily encompass a thorough and complete search for the subject matter of the non-elected claims. Thus, it is respectfully submitted that search and examination of the entire application could be made without serious burden. See MPEP §803 in which it is clearly stated that "[i]f the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits." It is respectfully submitted that this policy should apply in the present application in order to avoid unnecessary delay and expense to applicants and improper duplicative examination by the Patent Office.

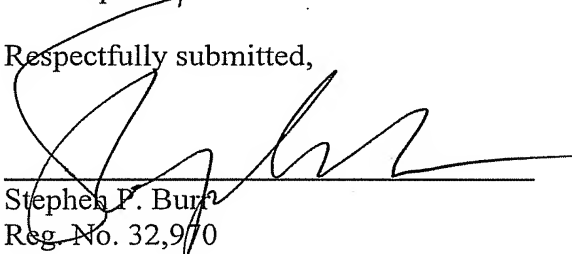
If the Examiner believes that contact with Applicants' attorney would be advantageous toward the disposition of this case, the Examiner is herein requested to call Applicants' attorney at the phone number noted below.

The Commissioner is hereby authorized to charge any additional fees associated with this communication or credit any overpayment to Deposit Account No. 50-1446.

Respectfully submitted,

November 26, 2008

Date



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